

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

GUADALUPE WRIGHT,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting
Commissioner of the Social Security
Administration,

Defendant.

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EP-23-CV-00119-DB-RFC

REPORT AND RECOMMENDATION

The Court considers “Defendant’s Unopposed Motion to Reverse with Remand and Enter Judgment and Incorporated Memorandum,” filed by the Acting Commissioner of the Social Security Administration on June 27, 2023. (ECF No. 11.) After careful consideration, the Court recommends that the Motion be **GRANTED**.

It is therefore **RECOMMENDED** that this cause be **REVERSED** and **REMANDED** to allow the Commissioner to conduct further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall offer Plaintiff the opportunity for a new hearing and issue a new decision.

SIGNED this 28th day of June, 2023.



ROBERT F. CASTAÑEDA
UNITED STATES MAGISTRATE JUDGE

NOTICE

FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS CONTAINED IN THE FOREGOING REPORT, WITHIN FOURTEEN DAYS OF SERVICE OF SAME, MAY BAR DE NOVO DETERMINATION BY THE DISTRICT JUDGE OF AN ISSUE COVERED HEREIN AND SHALL BAR APPELLATE REVIEW, EXCEPT UPON GROUNDS OF PLAIN ERROR, OF ANY UNOBJECTED-TO PROPOSED FACTUAL FINDINGS AND LEGAL CONCLUSIONS AS MAY BE ACCEPTED OR ADOPTED BY THE DISTRICT COURT.